

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERIC FUEHRER,	:	CIVIL ACTION
	:	NO. 19-4531
Petitioner,	:	
v.	:	
	:	
MARK CAPOZZA, et al.,	:	
	:	
Respondents.	:	

**ORDER**

**AND NOW**, this **24th** day of **March, 2021**, upon consideration of Eric Fuehrer's Petition for Writ of Habeas Corpus (ECF No. 1), the Respondents' Answer (ECF No. 16), the other documents filed by the parties, and after review of the Report and Recommendation of U.S. Magistrate Judge David R. Strawbridge (ECF No. 19), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DISMISSED**;<sup>1</sup>
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this

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<sup>1</sup> All of Petitioner's claims are either procedurally defaulted or non-cognizable, as explained in the Report and Recommendation.

ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000); and

4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

**AND IT IS SO ORDERED.**

*Eduardo C. Robreno*

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EDUARDO C. ROBRENO, J.